

Applicant: Robert H. Osborn Jr.
Application Serial No.: 10/803,642
Filing Date: March 18, 2004
Docket No.: 577-596
Page 4

REMARKS

The application has been amended. Claim 2 has been amended in accordance with the Examiner's suggestion. Reconsideration of the application is respectfully requested.

The Examiner has objected to the disclosure noting the following perceived informality. On page 4 of the application, the Examiner notes the use of the term "nylon 6/6". The Examiner requires correction. This determination is respectfully traversed.

The term "nylon 6/6" is a well known term of art used in the plastics industry to refer to a type or grade of nylon. Those skilled in the art would have a complete understanding as to the phrase nylon 6/6. The Examiner is referred to any one of a number of technical reference materials which denote the characteristics of nylon 6/6. As an example, the Examiner is referred to the web page www.polymerprocessing.com where nylon 6/6 is described. Accordingly, it is respectfully submitted that no correction is necessary.

The Examiner has also objected to the specification at page 6 noting that DSM should be spelled out completely. This determination is also respectfully traversed.

It is undersigned counsel's understanding that the company referred to in the specification as DSM Engineering Plastics actually uses the initials as the corporate name and, at

Applicant: Robert H. Osborn Jr.
Application Serial No.: 10/803,642
Filing Date: March 18, 2004
Docket No.: 577-596
Page 5

least with respect to the corporate identity, is not spelled out. Accordingly, no correction is deemed necessary.

Claim 2 has been amended in accordance with the Examiner's suggestion to correct an obvious typographical error.

The Examiner has rejected independent claim 1 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,169,967 to Bachle et al. (hereinafter "Bachle"). This determination is respectfully traversed.

The Examiner has also indicated that claim 3 contains allowable subject matter. This determination is gratefully acknowledged.

The Examiner submits that Bachle discloses a fitting for a liquidtight flexible conduit. The fitting includes a connector body and a sealing ring. The Examiner acknowledges that there is no disclosure in Bachle of forming the sealing ring of a high temperature resistant material. The Examiner contends that it would have been obvious to one skilled in the art at the time the invention was made to provide a sealing ring of high temperature material. The Examiner cites no support for this conclusion, instead relying upon the position that it is within the general skill of a worker to select a known material based on a suitability for intended use.

With respect to the Bachle reference, the primary purpose for selecting a sealing ring is to effect a seal between the body of the connector and the gland nut. The particular material chosen is based on the deformable properties of the sealing ring so that when properly attached, an adequate seal is provided between the gland nut and the body. Bachle discloses no other purpose for a sealing ring other than the need to effect the seal. Therefore, the precise properties and structure of the sealing ring of the Bachle reference is disclosed solely to effect this seal. There is no suggestion anywhere in the Bachle reference that the material selected for the sealing ring could serve other functions.

The Examiner is speculating that one could select an appropriate material which would provide the high temperature resistant characteristics of the sealing ring of the present invention based on the disclosure of Bachle. Nowhere in the Bachle reference is there any suggestion of addressing the problem of high temperature, nor is there any indication that a high temperature resistant material would serve the sealing function required by Bachle.

Two distinct problems are presented. The first is to provide a seal between the connector body and the gland nut about the conduit. The second is to provide a sealing ring which will maintain its resiliency and withstand a high temperature environment. The solution of both of those problems results in the present invention. Bachle fails to acknowledge the problem presented in high temperature environments. Bachle, therefore, could not suggest a way to solve that problem.

Applicant: Robert H. Osborn Jr.
Application Serial No.: 10/803,642
Filing Date: March 18, 2004
Docket No.: 577-596
Page 7

The present invention as set forth in claim 1 specifically requires the selection of a sealing ring which not only seals the interface between the gland nut and the connector body about the conduit, but also effects such seal in a manner which is resistant to high temperature environments. The Examiner has not provided any reference where either the problem or the solution was contemplated in the prior art. Accordingly, it is respectfully submitted that the claims of the present invention define patentably over the Bachle reference.

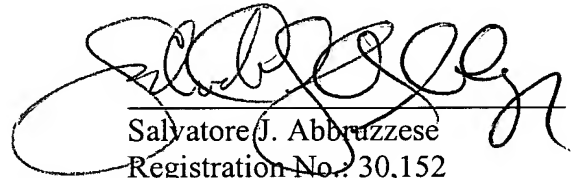
It is, therefore, respectfully submitted that the application, including claims 1-11, is in condition for allowance. Favorable action thereon is respectfully solicited.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication, or credit any overpayment, to Deposit Account No. 08-2461. Such authorization includes authorization to charge fees for extensions of time, if any, under 37 C.F.R. § 1.17 and also should be treated as a constructive petition for an extension of time in this reply or any future reply pursuant to 37 C.F.R. § 1.136.

Applicant: Robert H. Osborn Jr.
Application Serial No.: 10/803,642
Filing Date: March 18, 2004
Docket No.: 577-596
Page 8

Should the Examiner have any questions or comments concerning the above, the Examiner is respectfully invited to contact the undersigned attorney at the telephone number given below.

Respectfully submitted,



Salvatore J. Abbruzzese
Registration No. 30,152
Attorney for Applicant(s)

HOFFMANN & BARON, LLP
6900 Jericho Turnpike
Syosset, New York 11791
(973) 331-1700